

For further information, please contact Judy Pensabene of the Committee staff at (202) 224-1327.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 17, 2005, at 9:30 a.m., in open and closed session to receive testimony on current and future world-wide threats to the national security of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, March 17, 2005, at 11 a.m. to mark up an original bill entitled the Federal Public Transportation Act of 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Thursday, March 17, 2005, at 2:30 p.m., to consider favorably reporting the nomination of Daniel R. Levinson, to be Inspector General, Department of Health and Human Services, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, March 17, 2005 at 9:30 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 17, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda:

I. Nominations: William G. Myers, III, to be U.S. Circuit Judge for the Ninth Circuit; Terrence W. Boyle, II, to be U.S. Circuit Judge for the Fourth Circuit; Robert J. Conrad, Jr., to be U.S. District Judge for the Western District of North Carolina; James C. Dever, III, to be U.S. District Judge for the Eastern District of North Carolina; Thomas B. Griffith, to be U.S. Circuit Judge for the District of Columbia Circuit; Paul A. Crotty, to be U.S. District

Judge for the Southern District of New York; J. Michael Seabright, to be U.S. District Judge for the District of Hawaii.

II. Bills: Asbestos—S. 378, Reducing Crime and Terrorism at America's Seaports Act of 2005, Biden, Specter, Feinstein, Kyl; S. 188, State Criminal Alien Assistance Program Reauthorization Act of 2005, Feinstein, Kyl, Schumer, Cornyn, Durbin, Specter; S. 119, Unaccompanied Alien Child Protection Act of 2005, Feinstein, Schumer, Durbin, DeWine, Feingold, Kennedy, Brownback, Specter; S. 589, a bill to establish the Commission on Freedom of Information Act Processing Delays, Cornyn, Leahy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, March 17, 2005, for a committee hearing titled "Back from the Battlefield: Are We Providing the Proper Care for America's Wounded Warriors?"

The hearing will take place in Room 418 of the Russell Senate Office Building at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES AND COAST GUARD

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries and Coast Guard be authorized to meet on Thursday, March 17, 2005, at 10 a.m. on Coast Guard Operational Readiness/Mission Balance/FY 2006 Budget Request in SR-253.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOW

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Seapower be authorized to meet during the session of the Senate on March 17, 2005, at 3 p.m., in open session to receive testimony on the posture of the U.S. Transportation Command in review of the Defense Authorization Request for fiscal year 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that Mindy Lanie, a sign language interpreter from congressional support services, be granted the privileges of the floor during consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that Kathleen Strotzman be granted the privilege of the floor during consideration of the budget resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR AND DISCHARGE

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 27, 28, 29, 31, 32, 33, 34, 36, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54, and all nominations on the Secretary's desk. Further, that Harold Damelin, PN87, be discharged from the Governmental Affairs Committee, and the Senate also proceed to its consideration.

I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

David B. Bolton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries. (New Position)

Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks. (New Position)

John Thomas Schieffer, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State (Political Affairs).

C. David Welch, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Near Eastern Affairs).

Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (East Asian and Pacific Affairs).

Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of services as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

DEPARTMENT OF ENERGY

Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy.

NATIONAL SECURITY EDUCATION BOARD

George M. Dennison, of Montana, to be a Member of the National Security Education Board for a term of four years.

James William Carr, of Arkansas, to be a Member of the National Security Education Board for a term of four years.

Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board for a term of four years.

AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Claude R. Kehler, 6600

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Robert R. Allardice, 0000
Colonel C. D. Alston, 0000
Colonel Michael J. Basla, 0000
Colonel Francis M. Bruno, 0000
Colonel Brooks L. Bash, 0000
Colonel Thomas K. Andersen, 0000
Colonel Herbert J. Carlisle, 0000
Colonel Charles R. Davis, 0000
Colonel Donald Lustig, 0000
Colonel James M. Kowalski, 0000
Colonel Frank J. Kisner, 0000
Colonel Jimmie C. Jackson, Jr., 0000
Colonel Mary K. Hertog, 0000
Colonel Blair E. Hansen, 0000
Colonel Frank Gorenc, 0000
Colonel Gregory A. Feest, 0000
Colonel Daniel R. Dinkins, Jr., 0000
Colonel Robert Yates, 0000
Colonel Janet A. Therianos, 0000
Colonel Mark S. Solo, 0000
Colonel Stephen D. Schmidt, 0000
Colonel Paul G. Schafer, 0000
Colonel Albert F. Riggle, 0000
Colonel Joseph Reynes, Jr., 0000
Colonel Joseph M. Reheiser, 0000
Colonel Robin Rand, 0000
Colonel Ellen M. Pawlikowski, 0000
Colonel Mark H. Owen, 0000
Colonel Joseph F. Mudd, Jr., 0000
Colonel Harold W. Moulton, II, 0000
Colonel Christopher D. Miller, 0000
Colonel Gary S. Connor, 0000

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. James J. Dougherty, III, 0000
Col. Patricia C. Lewis, 0000

ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stanley E. Green, 0000

The following named officer for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Charles K. Ebner, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. James O. Barclay, III, 0000
Col. Arthur M. Bartell, 0000
Col. Donald M. Campbell, Jr., 0000
Col. Dennis E. Rogers, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Byron S. Bagby, 0000
Brigadier General Vincent E. Boles, 0000
Brigadier General Thomas P. Bostick, 0000
Brigadier General Howard B. Bromberg, 0000
Brigadier General Sean J. Byrne, 0000
Brigadier General Charles A. Cartwright, 0000
Brigadier General Thomas R. Csrnko, 0000
Brigadier General John DeFreitas, III, 0000
Brigadier General Robert E. Durbin, 0000
Brigadier General David A. Fastabend, 0000
Brigadier General Charles W. Fletcher, Jr., 0000
Brigadier General Daniel A. Hahn, 0000

Brigadier General Rhett A. Hernandez, 0000
Brigadier General Mark P. Hertling, 0000
Brigadier General Charles H. Jacoby, Jr., 0000

Brigadier General Jerome Johnson, 0000
Brigadier General Gary M. Jones, 0000
Brigadier General William M. Lenaers, 0000
Brigadier General Douglas E. Lute, 0000
Brigadier General Benjamin R. Mixon, 0000
Brigadier General James R. Myles, 0000
Brigadier General Roger A. Nadeau, 0000
Brigadier General David M. Rodriguez, 0000
Brigadier General Richard J. Rowe, Jr., 0000

Brigadier General Jeffrey J. Schloesser, 0000

Brigadier General Jeffrey A. Sorenson, 0000
Brigadier General Abraham J. Turner, 0000
Brigadier General Robert M. Williams, 0000
Brigadier General Richard P. Zahner, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Donald L. Jacka, Jr., 0000

To be brigadier general

Col. Jerry D. La Cruz, Jr., 0000

NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Evan M. Chanik, Jr., 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Barry M. Costello, 0000

AIR FORCE

PN149 AIR FORCE nominations (54) beginning Arlene D. * Adams, and ending Robert G. * Young, which nominations were received by the Senate and appeared in the Congressional Record of February 8, 2005.

PN247 AIR FORCE nominations (54) beginning Erik L. Abrames, and ending Duojia Xu, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN261 AIR FORCE nominations of Steven F. Reck, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN262 AIR FORCE nomination of Mark D. Miller, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN263 AIR FORCE nomination of Nancy B. Grane, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN264 AIR FORCE nomination of Jack M. Davis, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN265 AIR FORCE nominations (2) beginning Ramon Morales, and ending Frank M. Wood, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN266 AIR FORCE nominations (6) beginning Richard E. Ando Jr., and ending Kenneth S. Papier, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN267 AIR FORCE nominations (4) beginning Stephen H. Gregg, and ending Robert L. Shaw, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN268 AIR FORCE nominations (6) beginning John P. Albright, and ending Louis B. Miller, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN269 AIR FORCE nominations (6) beginning Lester H. Bakos, and ending Gregory G. Movesesian, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN270 AIR FORCE nominations (9) beginning Charles M. Bolin, and ending James A. Withers, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN271 AIR FORCE nominations (14) beginning Bruce Steuart Ambrose, and ending Patricia L. Wildermuth, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN272 AIR FORCE nominations (15) beginning Karen A. Baldi, and ending Paul E. Wright, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN273 AIR FORCE nominations (19) beginning Vickie Z. Beckwith, and ending Gayle Seifullin, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN274 AIR FORCE nominations (23) beginning Paul N. Austin, and ending Florence A. Valley, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN275 AIR FORCE nominations (66) beginning Edmond O. Anderson, and ending Scott A. Young, which nominations were received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN276 AIR FORCE nomination of Kenneth M. Francis, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN277 AIR FORCE nomination of Vito Manente, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN278 AIR FORCE nominations of Jeffrey H. Wilson, which was received by the Senate and appeared in the Congressional Record of March 1, 2005.

PN287 AIR FORCE nominations (1425) beginning David C. Abruzzi, and ending Michael J. Zuber, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

PN288 AIR FORCE nominations (57) beginning Steven G. Allred, and ending John R. Wrockloff, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

PN290 AIR FORCE nominations (134) beginning Travis R. * Adams, and ending Wendy J. * Wyse, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

PN291 AIR FORCE nominations (2173) beginning Christopher N. * Aasen, and ending Ronald J. * Zwikel, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

ARMY

PN39 ARMY nominations (54) beginning Peter W. Aubrey, and ending Jeffrey K. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

PN40 ARMY nominations (28) beginning Michael J. Arinello, and ending James E. Whaley III, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

PN41 ARMY nominations (33) beginning Donna A. Alberto, and ending Douglas A. Wild, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

P43 ARMY nominations (344) beginning Ronald P. Alberto, and ending X2800, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

PN216 ARMY nomination of Gerald L. Dunlap, which was received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN217 ARMY nomination of Robert D. Saxon, which was received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN218 ARMY nominations (2) beginning Richard R. Guzzetta, and ending Robert J. Johnson, which nominations were received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN219 ARMY nominations (2) beginning James R. Hajduk, and ending Fritz W. Kirklighter, which nominations were received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN220 ARMY nominations (2) beginning Brian E. Baca, and ending Anthony E. Baker Sr., which nominations were received by the Senate and appeared in the Congressional Record of February 15, 2005.

PN248 ARMY nomination of William T. Monacci, which was received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN249 ARMY nominations (2) beginning Brian J. Tenney, and ending Karen T. Welden, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN250 ARMY nominations (5) beginning David J. Bricker, and ending Wayne A. Steltz, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN251 ARMY nominations (35) beginning Larry N. Barber, and ending David D. Worcester, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN252 ARMY nominations (2) beginning Hays L. Arnold, and ending William C. Otto, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN253 ARMY nomination of John P. Guerreiro, which was received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN254 ARMY nomination of Evelyn I. Rodriguez, which was received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN255 ARMY nomination of Demetres William, which was received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN292 ARMY nominations (13) beginning Kenneth A. Beard, and ending Karen E. Semeraro, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

PN294 ARMY nominations (48) beginning Stanley P. Allen, and ending Henry J. Young, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2005.

MARINE CORPS

PN64 MARINE CORPS nominations (127) beginning Robert S. Abbott, and ending Ronald M. Zich, which nominations were received by the Senate and appeared in the Congressional Record of January 6, 2005.

PN131 MARINE CORPS nominations (577) beginning Carlton W. Adams, and ending Wayne R. Zuber, which nominations were received by the Senate and appeared in the Congressional Record of January 31, 2005.

PN132 MARINE CORPS nominations (99) beginning Keith R. Anderson, and ending

Gary K. Wortham, which nominations were received by the Senate and appeared in the Congressional Record of January 31, 2005.

PN174 MARINE CORPS nominations (5) beginning Michael S. Driggers, and ending Robert R. Sommers, which nominations were received by the Senate and appeared in the Congressional Record of February 8, 2005.

NAVY

PN256 NAVY nominations (79) beginning Donald R. Bennett, and ending George B. Younger, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2005.

PN257 NAVY nomination of Matthew S. Gilchrist, which was received by the Senate and appeared in the Congressional Record of February 28, 2005.

DEPARTMENT OF THE TREASURY

Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

MEASURE READ THE FIRST TIME—H.R. 841

Mr. FRIST. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill.

The legislative clerk read as follows:

A bill (H.R. 841) to require States to hold special elections to fill vacancies in the House of Representatives not later than 49 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances.

Mr. FRIST. I now ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. The bill will be read the second time on the next legislative day.

APPOINTMENT AUTHORITY

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or other interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO FILE LEGISLATIVE AND EXECUTIVE ITEMS ON WEDNESDAY, MARCH 30, 2005

Mr. FRIST. I ask unanimous consent that notwithstanding the recess, committees be allowed to file legislative and executive items on Wednesday, March 30, between the hours of 10 a.m. and 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ASBESTOS AWARENESS DAY

Mr. FRIST. I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 43, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution designating the first day of April 2005 as "National Asbestos Awareness Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the Frist amendment be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 43) was agreed to.

The amendment (No. 264) was agreed to, as follows:

Strike the preamble and insert the following:

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas these fibers can cause mesothelioma, asbestosis and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally little is known about late stage treatment and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognosis;

Whereas the United States has substantially reduced its consumption of asbestos yet continues to consume almost 7,000 metric tons of the fibrous mineral for use in certain products throughout the Nation;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas asbestos exposures continue and safety and prevention will reduce and has reduced significantly asbestos exposure and asbestos-related diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of Americans die from asbestos related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975; and

Whereas the establishment of a "National Asbestos Awareness Day" would raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 43

Whereas deadly asbestos fibers are invisible and cannot be smelled or tasted;